

**DEPARTMENT OF EDUCATION
SPECIAL EDUCATION PROGRAMS
Kadoka School District
Accountability Review - Focus Monitoring Report 2008-2009**

Team Members: Valerie Johnson, Team Leader; Penny McCormick-Gilles, Rhonda Zinter, Educational Specialists

Dates of On Site Visit: November 11, 2008

Date of Report: December 22, 2008

3 month update due: March 22, 2009

Date Received:

6 month update due: June 22, 2009

Date Received:

9 month update due: September 22, 2009

Date Received:

Closed:

Program monitoring and evaluation.

In conjunction with its general supervisory responsibility under the Individuals with Disabilities Education Act, Part B, Special Education Programs (SEP) of the Office of Educational Services and Support shall monitor agencies, institutions, and organizations responsible for carrying out special education programs in the state, including any obligations imposed on those agencies, institutions, and organizations. The department shall ensure:

(1) That the requirements of this article are carried out;

(2) That each educational program for children with disabilities administered within the state, including each program administered by any other state or local agency, but not including elementary schools and secondary schools for Native American children operated or funded by the Secretary of the Interior:

(a) Is under the general supervision of the persons responsible for educational programs for children with disabilities in the department; and

(b) Meets the educational standards of the state education agency, including the requirements of this article; and

(3) In carrying out this article with respect to homeless children, the requirements of the McKinney-Vento Homeless Assistance Act, as amended to January 1, 2007, are met. (Reference- ARSD 24:05:20:18.)

State monitoring--Quantifiable indicators and priority areas.

The department shall monitor school districts using quantifiable indicators in each of the following priority areas, and using such qualitative indicators as are needed to adequately measure performance in those areas:

(1) Provision of Free Appropriate Public Education (FAPE) in the least restrictive environment;

(2) Department exercise of general supervision, including child find, effective monitoring, the use of resolution meetings, mediation, and a system of transition services as defined in this article and article 24:14; and

(3) Disproportionate representation of racial and ethnic groups in special education and related services, to the extent the representation is the result of inappropriate identification. (Reference-ARSD 24:05:20:18:02.)

State enforcement -- Determinations.

On an annual basis, based on local district performance data, information obtained through monitoring visits, and other information available, the department shall determine whether each school district meets the requirements and purposes of Part B of the IDEA...

Based upon the information obtained through monitoring visits, and any other public information made available, Special Education Programs of the Office of Educational Services and Support determines if the agency, institution, or organization responsible for carrying out special education programs in the state:

- Meets the requirements and purposes of Part B of the Act;
- Needs assistance in implementing the requirements of Part B of the Act'
- Needs intervention in implementing the requirements of Part B of the Act; or
- Needs substantial intervention in implementing the requirements of Part B of the Act. (Reference-ARSD 24:05:20:23.04.)

Deficiency correction procedures.

The department shall require local education agencies to correct deficiencies in program operations that are identified through monitoring as soon as possible, but not later than one year from written identification of the deficiency. The department shall order agencies to take corrective actions and to submit a plan for achieving and documenting full compliance. (Reference-ARSD 24:05:20:20.)

FAPE IN THE LEAST RESTRICTIVE ENVIRONMENT 1

Present levels: (Statement of present levels of academic achievement and functional performance that resulted in area of non-compliance from complaint of 10/30/2007)

District denied a free appropriate public education when student was not receiving current accommodations listed on IEP.

The district and complainant reached a mediation agreement on 10/19/2007

Follow-up: November 11, 2008

Finding: Review of files indicated district has completed the mediation agreement and other files reviewed indicated appropriate use of prior notices, addendums and modifications and accommodations.

The District meets requirements in this area.

Corrective Action: None

GENERAL SUPERVISION 1

Present levels: (Statement of present levels of academic achievement and functional performance that resulted in area of non-compliance from complaint of 10/30/2007)

24:05:17:03 Annual report of children served. An IEP in effect as of the December 3, 2001, child count was not found for one student.

Follow-up: November 11, 2008

Finding:

The review team identified no concerns in this area through a review of files and child count information.

Corrective Action: None

GENERAL SUPERVISION 2

Present levels: (Statement of present levels of academic achievement and functional performance that resulted in area of non-compliance from complaint of 10/30/2007)

ARSD 24:05:04:02 Determination of needed evaluation data

ARSD 24:05:04:03 Determination of eligibility No evidence of parental input was documented in student files. Of the 11 student files reviewed, documentation that the parents received a copy of the evaluation report was missing in 8 files.

Follow-up: November 11, 2008

Finding:

The review team identified no concerns in this area through a review of files.

Corrective Action: None

GENERAL SUPERVISION 3

Present levels: (Statement of present levels of academic achievement and functional performance that resulted in area of non-compliance from complaint of 10/30/2007)

ARSD 24:05:27:01:03 Content of individualized education program. Present levels of education performance statements were in consistent with parental input, transition, skills based data and how the disability affects' the child's involvement and progress in the general curriculum. Secondary IEP's did not contain a coordinated set of activities with a goal-oriented approach or address individual future outcomes.

Follow-up: November 11, 2008

Finding:

The review team identified no concerns in this area through a review of files.

Corrective Action: None